

You don't even loan your gun to a family member who is irresponsible. That is your prized possession. You are responsible. That is a lethal weapon. You are responsible.

That is how we were raised. We both understood that. But if we were understanding that, then basically we thought, We all had to have permits when we went and bought a gun. We all bought guns and went through background checks, and everybody should. So if I didn't want to sell my gun to a stranger, why should a gun show with loopholes do it? Why should you be able to mail a gun across State lines and do it? Why should that happen?

That is what we were trying to do, is close the loopholes. Make this common gun sense.

PAT, you stood tall. You really did, buddy. And I know it was a tough, tough period of time. But we did the right thing, and we are seeing some changes now. We need more changes. But it is gun sense and common sense but also protecting people's rights. We can do both in America.

We are going to miss you, buddy. We really are going to miss you. You have been something special here.

I met both of your children. I went up and spoke to their school at Harvard, and I just enjoyed it very much. And when they introduced themselves, I could tell right away that they were their mother's children and they had the spirit of their dad. I can tell you that too.

But, anyway, it has been a pleasure calling you my friend, and you always will be my friend. God bless and Godspeed, my friend.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I, too, rise to thank Senator TOOMEY for his distinguished public service. I first got to know PAT TOOMEY back in 2011.

For those who have been around here a long time or at least a medium amount of time, you may remember the budget impasse in 2011 between the House and the Senate. At that time, there were constant threats of government shutdowns. There was, of course, the issue of the debt ceiling.

What finally happened was that a piece of legislation or an agreement was reached that said: We are going to create what was then called a supercommittee to try to work out some of these budget issues, and if the supercommittee did not reach an agreement, then this Rube Goldberg machine would take effect, providing automatic budget cuts both to defense and non-defense spending.

Everybody agreed that having this automatic sequester take place would not serve the best interests of the country and hoped that this supercommittee would be able to come up with a solution.

Senator TOOMEY was new to the Senate then, but because of his great expertise and because of the fact that he was trusted by Leader MCCONNELL, he

was appointed as one of the very few people—about three or four people from the Senate—to participate on the supercommittee, and I was appointed by Speaker PELOSI to serve on the supercommittee.

We did not, in the end, succeed in reaching an agreement, but one of the really good things that came out of that supercommittee from my perspective was getting to know and work with PAT TOOMEY. We disagreed on a lot of those issues, and, of course, ultimately the disagreements in the supercommittee overwhelmed our ability to get to some kind of yes. But what I learned during that process was, when you are talking to PAT TOOMEY, you are talking to somebody who is incredibly knowledgeable and presents his perspective very well.

You also found somebody who was trustworthy. PAT TOOMEY never said anything in that process where he went back on his word. He was always very clear about where he stood. Once he said he was for something, he would stick with it, and if he was against it, you would know he was against it.

You also knew he was someone you could trust in terms of confidence because when you are in a situation like the supercommittee—and we worked for weeks. It was a good-faith effort. We worked for weeks. But you have to learn to trust each other because you are talking about different proposals that ultimately would require a compromise, and we all know that compromise can sometimes be very difficult and politically charged.

So during that period of time, I recognized that PAT TOOMEY was someone you could trust. Because of that, when I came to the U.S. Senate, it was a great privilege to work with my by then friend PAT TOOMEY on a range of issues.

Senator TOOMEY talked today about his passion and conviction for expanding freedom. That passion extends to extending freedom to people around the world. We were able to team up on a number of measures to try to do exactly that. One was the Otto Warmbier BRINK Act, which was legislation that has been passed into law to try to make sure that we hold North Korea accountable for its nuclear program and also hold them accountable on human rights. It is named after an American who was mistreated in North Korea and then came home and died.

We worked on that legislation, and, again, it was always a back-and-forth. It was secondary sanctions legislation, which has now been used by multiple administrations to apply sanctions to try to advance our policies to try to denuclearize the Korean Peninsula and bring more pressure on the North Korean regime.

In that same vein, we worked together on the Hong Kong Autonomy Act after we saw China violate its commitments and agreements with respect to Hong Kong. That empowered the executive branch to apply sanctions on

officials in China who were participating directly in depriving citizens in Hong Kong of their freedom, and that legislation passed as well.

Now, even in the closing days of this session, we are working together with respect to our efforts to cut off Putin's bank account that funds his war machine against Ukraine by backing up the Biden administration and G7's proposal for the oil price cap, which many have heard more about recently since this just took effect. We believe that in order for it to be effective in the long term, we need to be sure we have global compliance. To do that, that also should be backed up with a measure to provide more teeth and the prospect of sanctions.

I just wanted to come to the floor to say that, PAT, it has been great working with you on these issues. As others have said, we can always disagree, but you know how to disagree agreeably. You know how to argue your point in a respectful manner, and you have found common ground wherever you could. I am grateful.

I said a few good words about PAT TOOMEY the other day that were picked up in the Philadelphia Inquirer, and PAT said: You know, you might have gotten yourself in trouble.

I said: I have probably gotten you in just as much trouble. Of course, you are now stepping down after 12 distinguished years.

But that is the kind of trouble we should all be willing to get into, working together for the good of the country and the people of our States.

PAT, to you and Kris and your three children, as you leave here, we give you all our very best wishes, and I know and I am confident you will remain engaged in the public debate going forward. But you have earned this departure from the United States Senate. Thank you for your distinguished service to the people of Pennsylvania and to the people of the United States of America. Godspeed.

The PRESIDING OFFICER. The majority leader.

JAMES M. INHOFE DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2023—Resumed

ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate resume consideration of the message to accompany H.R. 7776; that notwithstanding rule XXII, it be in order to make motions to concur with the following amendments: Sullivan, 6522; Johnson-Cruz, 6526; that if Senator SULLIVAN makes the motion to concur with amendment, there be up to 60 minutes of debate equally divided between the two leaders or their designees; that upon the use or yielding back of the time, the Sullivan motion and motion to refer be withdrawn; the Senate vote on the motion to invoke cloture on the motion to concur with Manchin amendment 6513; that upon

disposition of the motion to concur with the Manchin amendment, the Senate vote on the motion to concur with the Johnson amendment; further, that if none of the motions to concur with amendment are agreed to, the Senate immediately vote on the motion to concur; that there be 2 minutes for debate equally divided between the votes; and that with respect to the Johnson motion and the motion to concur be subject to a 60-affirmative vote threshold for adoption; finally, that if the motion to concur is agreed to, the Senate proceed to the immediate consideration of H. Con. Res. 121, which is at the desk; that the concurrent resolution be considered and agreed to, all without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

MOTION TO CONCUR WITH AMENDMENT NO. 6522

Mr. SULLIVAN. Mr. President, I move to concur with a further amendment, No. 6522, to the message to accompany H.R. 7776, and I ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Alaska [Mr. SULLIVAN] moves to concur in the House amendment to the Senate amendment to H.R. 7776 with an amendment numbered 6522.

The amendment is as follows:

(Purpose: To amend the Camp Lejeune Justice Act of 2022 to appropriately limit attorney's fees)

At the appropriate place in subtitle G of title X of division A, insert the following:

SEC. 10. PROTECT CAMP LEJEUNE VETS.

(a) **SHORT TITLE.**—This section may be cited as the “Protect Camp Lejeune Victims Ensnared by Trial-lawyer’s Scams Act” or the “Protect Camp Lejeune VETS Act”.

(b) **ATTORNEYS FEES IN FEDERAL CAUSE OF ACTION RELATING TO WATER AT CAMP LEJEUNE, NORTH CAROLINA.**—The Camp Lejeune Justice Act of 2022 (28 U.S.C. 2671 note prec.) is amended—

(1) by redesignating subsections (h), (i), and (j) as subsections (i), (j), and (k), respectively; and

(2) by inserting after subsection (g) the following:

“(h) **ATTORNEYS FEES.**—

“(1) **LIMITATIONS.**—

“(A) **GENERAL RULE.**—Notwithstanding any contract, the attorney of an individual, or of the legal representative of an individual, may not receive, for services rendered in connection with an action filed under subsection (b) or any administrative action relating to such an action (as described in section 2675 of title 28, United States Code) (in this subsection referred to as an ‘administrative claim’), more than the percentage specified in paragraph (2) of a payment made in the action.

“(B) **AMOUNT OF PAYMENT DETERMINED AFTER OFFSET.**—For purposes of this subsection, the amount of the payment made in an action shall be the amount of the payment after any offsetting reduction under subsection (e)(2) is made.

“(C) **PROHIBITION ON ANCILLARY FEES.**—Attorneys fees paid in accordance with this

subsection may not include any ancillary fees.

“(2) **APPLICABLE PERCENTAGE LIMITATIONS.**—The percentage specified in this paragraph is—

“(A) 2 percent for an administrative claim with respect to which a party entered a contract for services on or after August 10, 2022; or

“(B) 10 percent for—

“(i) an administrative claim with respect to which a party entered a contract for services before August 10, 2022;

“(ii) a resubmission of an administrative claim after the denial of an initial administrative claim, without regard to the date on which the party entered the applicable contract for services; or

“(iii) a judgment rendered or settlement entered in an action filed under subsection (b).

“(3) **PENALTY.**—Any attorney who violates paragraph (1) shall be fined not more than \$5,000.

“(4) **TERMS FOR PAYMENT OF FEES.**—Any judgment rendered, settlement entered, or other award made with respect to an action filed under subsection (b) or an administrative claim shall provide that—

“(A) the Government may not pay attorneys fees to an attorney directly; and

“(B) attorneys fees shall be payable to the attorney by an individual, or legal representative of an individual, after the individual or legal representative receives the amounts payable under the judgment, settlement, or award.

“(5) **DISCLOSURE.**—

“(A) **IN GENERAL.**—Any judgment rendered, settlement entered, or other award made with respect to an action filed under subsection (b) or an administrative claim shall require disclosure to the Attorney General or to the court of the attorneys fees charged to an individual, or the legal representative of an individual.

“(B) **REPORTING.**—The Attorney General shall collect the disclosures under subparagraph (A) of attorneys fees charged and submit to Congress an annual report detailing—

“(i) the total amount paid under such judgments, settlements, and awards;

“(ii) the total amount of attorney fees paid in connection with such judgments, settlements, and awards; and

“(iii) for each such judgment, settlement, or award—

“(I) the name of the attorney for the individual or legal representative of the individual;

“(II) if applicable, the law firm of the attorney; and

“(III) the amount of fees paid to the attorney.”

(c) **UPDATE OF REGULATIONS.**—The Secretary of Veterans Affairs shall amend section 14.636 of title 38, Code of Federal Regulations, and any other relevant regulations, to comply with the amendments made by subsection (b).

Mr. SULLIVAN. Mr. President, I am really working hard with my colleagues here—I see Senator DURBIN has come to the floor—to make a law that we all know is the right thing to do.

In fact, in my 8 years in the U.S. Senate, I don’t think I have ever been involved with a matter that more desperately cries out for a just resolution to a simple issue. And it is this: Do we, as the U.S. Senate, want to help sick U.S. Marines and their families, or do we want to allow a legislative bill that continues to further enrich trial lawyers in America? That is the question. That is the law I am working hard with

many of my colleagues to make happen.

And I think everyone knows the answer. Everyone in this body knows what the right thing to do is. Every American watching knows what the right thing to do is, and that is to help the brave Marine Corps heroes and their families who have sacrificed for decades to serve our Nation.

I have spoken to many of my colleagues, many of my Democratic colleagues in particular, and I know in their hearts that they also recognize we need to fix this problem.

So what I am asking my colleagues to do, particularly my Democratic friends, is this: Help me fix it.

Now, I want to say something. You are going to need a little courage, like the marines that we are helping. You have a constituency that really does not like my legislation: the trial bar of America. We know they are very powerful. We know that most of my colleagues don’t ever want to cross them, and they certainly don’t want my bill to pass.

But, again, I ask my Democratic colleagues: Have courage. Do the right thing. Work with me on fixing this problem.

So what is the problem?

Well, I have spoken on the floor about this problem, usually in angry tones because it burns me up. And any American watching who understands this, almost immediately, it burns them up. And the marines and their families, it burns them up as well.

But to be honest, this afternoon I am really down here more in terms of sadness and disappointment rather than anger. But I am going to explain it once again, and if you are watching on TV or watching back at home, give a call to your Senator and say “Hey. Fix this injustice.” This is a real easy, easy issue to fix. Here is the problem.

We, a couple months ago, passed here the PACT Act, which was legislation to help military members who have been sickened by burn pits. This is an issue that I have been focused on my whole Senate career, starting with bipartisan legislation several years ago with Senator MANCHIN, Senator KLOBUCHAR. So that was good. Important. Expensive, but important.

We have got to take care of our veterans and our military. To me, that is the No. 1 priority we should be doing here in the Senate, which is why a provision of the PACT Act—to provide compensation for marines who were sickened by contaminated water at Camp Lejeune—was also considered in the PACT Act. That was important. We should do that for these marines and their families—marines serving in the 1970s, 1980s at Camp Lejeune.

So far, so good. That is what has happened.

But as the legislation of the PACT Act and the Camp Lejeune marines compensation act—it started to become clear something reared its ugly head, and what reared its ugly head

was the legislation was more of a gift to America's trial lawyers than it was to sick marines.

Now, we have all seen these ads. As a matter of fact, this morning, on the radio, I heard a couple of them already. You can't go anywhere, turning on the TV, without a lawyer asking marines to call to get them to help under this Camp Lejeune compensation act. Here we are. We have seen it. Everybody has seen it.

We had a VA hearing about a month ago. I asked the VA, How much do you think trial lawyers have been spending? This is a month ago. They estimated well over a billion dollars a month ago. A billion dollars. A billion dollars.

Do you think that \$1 billion is going to go to sick marines and their families? It is not. It is not. Now look, I don't blame the marines who are dialing these 1-800 numbers. They are getting bombarded. If they are sick, they think this is the way they are going to get cured and get their money.

That is not the case. A lot of these are scams, and we know it. A lot of these are scams. The problem right now is if a marine calls one of these numbers, there is no limitation on what the trial lawyer representing the marine can take out of the marine's award. No limitation, no cap on contingency fees, no cap on anything.

And here is the real problem. Everybody saw this problem coming; that is, as opposed to the marines getting compensation for being sick, the trial lawyers of America would be enriched. Everybody saw it coming. And to their credit, the Biden administration saw it coming. So the Justice Department of the Biden administration had recommended in their technical assistance to us here in the Senate that there should be caps on these awards for trial lawyers. Makes sense. This is the Biden administration Justice Department—friends of many of these law firms, but they knew it was the right thing to do. They said 10 percent caps on contingency awards and 2 percent for filing fees. That was the Biden administration's recommendation.

Now, that didn't happen. I won't go into all the bloody, gory details, but as we tried to amend the PACT Act, we wanted an amendment to do that. The Biden administration did, the veterans service organizations did because it was pretty simple. If there is a cap on fees for the lawyers, the marines are going to get more; if there isn't, the trial lawyers are going to get more. We worked it hard.

Unfortunately and sadly—really sadly—my Democratic colleagues blocked all those amendments when we tried to pass the PACT Act.

So what has happened? What the Biden Justice Department predicted, what we all predicted, it is happening. Billions of dollars of ads—see them every day, hear them every day and every night, and marines getting crumbs and trial attorneys getting rich. That is just not right.

There is not one Senator who knows that that is the right thing to do. This is an injustice right now in America, and already some marines have lost money because of these scams. Some of these firms are promising big paydays. Of course, they are asking for money upfront. A recent media story highlighted a marine in Kentucky whose face was actually used in an ad claiming he had received a \$35,000 settlement. In fact, he told a reporter he got 35 cents, OK? That is not justice.

So, of course, right now the VA, local governments, veterans groups are frantically trying to warn marines and their families: Hey, don't listen to that, and, Congress, please help us. There are reports that some law firms are charging 50 or 60 percent contingency fees. Are you kidding me?

The veterans groups, the VA itself, the Biden administration VA, are crying out for help—help—no more scams.

Here is what the American Legion said at a recent meeting in a resolution they had passed:

WHEREAS, Predatory law firms charging exorbitant fees have engaged in aggressive marketing campaigns [hurting veterans]... The American Legion urges Congress to provide the necessary oversight [for] the implementation of the Camp Lejeune Justice Act to ensure veterans receive fair compensation.

That is the American Legion.

I am a member. The VFW has also come out in support of what we are trying to do. So this should be simple. This should be simple.

So what does my bill do? What does my amendment do? I am going to explain it briefly here. The full name of my amendment, my bill, is the Protect Camp Lejeune Victims Ensnared by Trial Lawyers Scams Act, the VETS Act for short. And it is pretty simple. First of all, it just goes back to what the Biden administration had recommended in terms of a cap. Everybody here agrees there needs to be a cap on contingency fees.

They had mentioned 10 percent, as I mentioned, on contingency fees and a 2-percent cap for filing the necessary paperwork.

Now my good friend, the Senator from Illinois, the chairman of the Judiciary Committee, Senator DURBIN, respectfully, I think he is going to speak and say: Well, wait a minute. The normal fee is 33½ percent, one-third contingency fees. That is actually correct.

But this isn't a normal fee. The reason the Biden administration has a low contingency fee at 10 percent is that the lawyers who are going to receive and help marines get these benefits aren't going to go through big trials. They are not going to go through discovery. It is almost an administrative procedure process to check some boxes. The government doesn't even have a defense in this. So that is why 33½ percent, the standard fare for contingency fees, has no place in this legislation—no place in this legislation. This is a government administrative process

that is going to be made easy, supposedly, in the bill for marines—sick marines to recover compensation and their families.

So when you hear talk about: No, no, it has got to be one-third. That is just not true.

The Biden administration recommended 10 percent. So don't be fooled by that. Americans watching, don't be fooled by that.

So here is another thing.

That is the key to my legislation. The other thing we are saying is because the compensation will come out of other benefits that the veterans receive from the VA, we make sure that the contingency fee is based on the net award, not the total award. Again, that is to serve the marines and their families, not the trial lawyers.

Let me give you one final thing my legislation does, and I don't think there is any Senator who disagrees with this. And I am pretty sure the chairman of the Judiciary Committee does not disagree with this. Somehow, in the VA-implemented regulations on the implementation of this legislation, they issued a reg that makes sure that trial lawyers get paid before the sick marines and their families.

They what? Yes, right now. Now that is crazy. Everybody, including lawyers, knows that the client gets paid and then the client pays the lawyer. It shouldn't be the lawyer gets paid and then the client gets paid. That is crazy, especially if the client is a sick U.S. marine. And I even think my colleague Senator DURBIN agrees with that. So that is the other piece of this legislation.

We could fix that overnight by having the Secretary of the VA take a relook at that reg and say: Hey, that is wrong. Let's rescind that. I would welcome if Secretary McDonough would do that.

Well, I am going to keep fighting for this issue. This is an urgent issue. Payments under the Camp Lejeune Act will start early next year. The ads that we saw that I showed you here are likely to intensify over the holidays to try to ensnare even more marines into these schemes.

But here is what I am going to do: I am going to withdraw my amendment. I am not going to force a vote on this amendment this afternoon because I want to get to a law, and I had a feeling that unfortunately my amendment was not going to get passed in this Senate on this vote this afternoon.

So I want to work with Senator DURBIN, Senator BLUMENTHAL, other Members on the other side of the aisle to do what we all know is the right thing—to pass a law that emphasizes what we all thought the bill was doing in the first place in the PACT Act, to take care of sick marines and their families and not enrich trial lawyers.

Again, I urge my colleagues to work with me. Like the U.S. marines, have courage to stand up to powerful interest groups who are trying to take more money from individuals who deserve it.

Work with me on this. It is the holiday season. Let's give the marines and their families the gift that they deserve and have earned through courage and sacrifice, not the lump of coal and breadcrumbs, which is the result of this bill that dramatically focuses on enriching trial lawyers at the expense of the U.S. marines. I am committed to work all weekend, all next week, but we need to get this done before we finish this Congress at the end of the year.

Every American knows it. Every U.S. Senator knows it. It is the right thing to do, and I certainly hope my colleagues are going to work with me to make it happen.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Mr. President, at the outset, let me thank my colleague from Alaska for his service to the United States of America and the Marine Corps, and let me thank all the women and men who serve in the Marine Corps and all our branches of military service. We owe them a great debt of gratitude, and we certainly owe them justice.

What is at issue here is the discovery that the water that they were drinking while they were training at Camp Lejeune was poisoned, and it was endangering the health of the marines and their families. For years, they sought compensation and protection and failed. And just this last year, we passed the PACT Act. Under that provision of law, it finally gave a cause of action to these marines and their families to recover for the damages they had suffered because of this poisonous water at this U.S. Government facility training camp at Camp Lejeune. I voted for that, proudly. It was a strong bipartisan rollcall, as it should have been. But let me make sure you understand and everyone listening understands what these marines who believe that they have been damaged by this poisoned water—this contaminated water—have to go through now to recover even the first dollar.

The first instance is, they don't receive it automatically. The Senator from Alaska continues to refer to the Biden administration's standards of 2 percent and 10 percent and so forth. He is quoting from a hypothetical that dealt with the Compensation Fund, not what we passed here in the U.S. Senate.

The Compensation Fund is like for 9/11 victims. We understand those cases. It wasn't a question of the victims going in and proving that 9/11 actually occurred or that their loved one was killed. It was almost an automatic thing that you qualify for. So the low contingency fees which he quoted was for a hypothetical approach which is not the law.

What is the law today?

What if my father or someone in my family—my son—had gone through training at Camp Lejeune in the period

of time that is affected by this? How do they recover? There are two avenues to recovery. One of them is file a claim with the U.S. Navy, and the Navy can decide that the claim is meritorious and pay it.

But if the Navy does not pay it, the administrative hearing does not result in a payment to the plaintiff, to the claimant, to the marine, the next step is a serious one. It goes to the Federal court, not just any Federal court but the one we designated, the Eastern District of North Carolina.

What happens at that court? That marine now is walking into a Federal courtroom and has to establish a case and prove the liability of the government for his losses.

What does he have to prove? Well, he has to prove causation, liability, and damages.

Have you ever been in a Federal courtroom or walked in there by yourself and seen what happens? I am telling you that it is a humbling experience even for a trained lawyer.

I have been through it, and I will tell you this: I wouldn't want to go through it with something as serious as recovering damages for healthcare costs or injuries to someone dear to me and my family without having adequate legal representation.

What does it cost to get this representation?

Well, there is no requirement that the marines hire a lawyer at all, but if they do, the ordinary course of business says that they are going to pay a contingency fee, which means you don't pay the lawyer upfront. The lawyer basically represents you, and if they recover, then you recover, but if they don't recover anything for your claim, they are emptyhanded as you are emptyhanded. That is the nature of a contingency fee.

The Senator from Alaska came to the floor about 2 weeks ago and raised this issue, and I said: Let's work on this together. I want to say our staffs have worked on it together. I am sorry that we haven't reached an agreement, but here was the proposal that I put on the table and the reason for it.

First, on the contingency fee, if you are just going to go to the Navy and file your administrative claim, we put a cap on the contingency fee, which the lawyer is paid, of 20 percent—20 percent. Where did we get that? From the Federal Tort Claims Act. That is the percentage that is used now under the law. Then we said, if you have to go to a trial in a Federal court, the maximum—maximum—attorney's fee is one-third if you recover. If you don't recover, you don't pay. It is a contingency fee.

Now, the Senator from Alaska has said: Well, let's do 2 percent and 10 percent instead of 20 percent and 33 percent.

So what can you buy for a 2-percent contingency fee or a 10-percent contingency fee? Well, you can probably buy a lawyer who has never tried a case in

court. You could buy an attorney whose office is in the trunk of his car. You could buy an attorney who will put the veteran's file at the bottom of the stack because there is so little money involved in it—or you could buy an attorney who will say: My paralegal in Singapore will get back to you later.

That is what you get if you try to get by with 2 percent and 10 percent when, in the ordinary course of business, it is 33⅓ percent. You are doing the veterans no favor by saying that they can't pay any more than a 2-percent contingency fee if they can't find a good lawyer, and I am sorry to say you won't find a lot of good lawyers at a 2-percent contingency fee. That is just the reality.

We went to the Senator from Alaska and said: We will cap the contingency fees: 20 percent for an administrative case and no more than a 33⅓-percent contingency fee if the case goes to trial.

Then we went further. He raised a point that I think is a valid point: How does a marine know he is going to get paid? We think the lawyer will be paid, but will the marine be paid if there is a verdict or a settlement? We put in language that said, definitely, the marine has to be the first paid. We offered that to the Senator from Alaska.

We went further. There is a bill pending before the U.S. Senate—a bipartisan bill. Senator BLUMENTHAL of Connecticut and Senator BOOZMAN of Arkansas, a Republican, have come up with a bill that says: Those people who are ripping off veterans—unaccredited groups that are ripping off veterans—by making them pay fees to collect the benefits they are owed by law ought to be criminally liable. There is a criminal fine in that bill.

So those are the three things we offered to the Senator from Alaska. It was not that he would go away emptyhanded but that he would get a result and get that result in a timely way. We made that offer over the last 2 weeks. He did not accept it. I wish he had.

I am still going to work with him to reach that goal so that we can make sure that all men and women who are affected by the Camp Lejeune contaminated water get compensated with competent attorneys who can represent them in court effectively and recover for them. We are doing them no favor if we limit the contingency fee and they can't hire a competent attorney. That is the maximum amount, 20 and 33, but it is certainly within the realm of ordinary practice.

So I would say to the Senator from Alaska that the offer I made 2 weeks ago I make to you again now. Let's fix this problem. Let's not trade speeches on the floor of the Senate. We both feel intensely about our points of view, but we share one common value that, I think, we ought to make very clear here: We want these marines to be compensated. That is why we passed the PACT Act. We want to do it in a way that they are not exploited. I

abhor those attorneys or even those who are not attorneys who are trying to exploit these individuals.

Let's work together to put an end to that once and for all, and let's do it in a timely way. By the time we get back here to consider legislation, it will be almost February—another 6 weeks or longer—and time will have been wasted.

I would just say to the Veterans Health Administration and to all of the veterans' services organizations: Warn all of those who would be plaintiffs in these lawsuits not to be taken in by anyone who is going to cheat them. Make sure that they are treated fairly. We can do our part too. Let's pledge together to get that done in the new year.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I want to thank my colleague from Illinois.

He has my full commitment to try to get this done before we leave, and I am willing to compromise on some of these issues. He makes a good point in that, with the Senate's schedule, we are not going to be back here until almost the end of January, and by then, some of these payments will have started to be awarded.

We do not want—and I think the Senator from Illinois agrees with me—situations wherein payments are going by 50, 60 percent to contingency fees. Nobody wants that. We shouldn't want that. That is just unfair. This regulation at the VA is also ridiculously unfair in favoring trial lawyers over sick marines.

So the Senator from Illinois has my commitment. I will work day and night on this issue to try and get it done before we leave—before we leave. Otherwise, you are going to have a lot of marines—sick marines—and their families who are going to get ripped off. We know that that is going to happen, and we shouldn't allow it.

I will work with the Senator from Illinois, as he has got a lot of power as the chairman of the Judiciary Committee, on this important issue that, I think, we should all care about. So I appreciate his comments, and I will redouble my efforts on this topic.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I want to close by thanking the Senator from Alaska—a Republican, a Democrat but committed to the same values—for making sure that these marines and their families are treated fairly.

We currently have 14,000 pending. These marines had 2 years from when we passed the law back in, I believe, June or July to file their claims. There is going to be a mountain of claims involved here, and we have got to make sure that we do it in a thoughtful way and in a timely way that is fair to the marines every step of the way. I will be part of that effort with you, Senator.

ORDER OF BUSINESS

Mr. President, I ask unanimous consent that if the motion to invoke cloture on the motion to concur with respect to amendment No. 6513 is not agreed, the motion to concur with amendment be withdrawn; and that if cloture is invoked, by the use or yielding back of time, the second-degree amendment be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDMENT NO. 6513

Mr. MANCHIN. Mr. President, I am here today to speak about a very important piece of legislation we have coming before us, and we have an amendment to that legislation. The legislation, of course, is the National Defense Authorization Act.

This piece of legislation is something that we do annually in order to basically protect our country and be able to defend ourselves and be able to maintain the superpower status that we are. Part of that is what they call energy security, energy independence. You cannot be a superpower in the world if you do not have energy independence, and you can't be secure if you don't have energy independence.

Now, what has happened to us since this horrible war that Putin has bestowed upon the citizens of Ukraine is that he has weaponized energy. We have seen it coming. He has basically doubled down, so he has put Europe in a tremendous bind.

On top of that, we have seen the necessity that we have and the reality of the world we live in. We use fossil fuels, but can we use them cleaner and better? Absolutely. We do it better than anyplace in the world, and we can use it and do more to it.

We have a piece of legislation—a couple of them. We have the bipartisan infrastructure bill that we worked on across the aisle, and now we have the Inflation Reduction Act, the IRA. Those two pieces of legislation are unbelievably unprecedented in our country.

What the IRA does is this, simply: It guarantees energy security. For 10 years, we are going to be able to basically produce fossil energy in the United States of America—more of it, better and cleaner, than at any time in the world—while we are also going to invest record amounts of money into new, clean technology for the future. You can't eliminate one.

People say: Well, my definition on energy and on climate is elimination. I want to eliminate—no coal, no oil, no gas.

Well, you are not living in the real world, and you have just seen that happen.

Our Nation, when we got pinched a little bit by these high prices that people are paying at the pump, we started thinking about removing sanctions from Iran—the most prolific terrorist

supporters in the world—and giving them money to continue to do what they do, which is to wreak havoc on the world.

We are also talking about lifting the sanctions on Venezuela, which basically has very little oversight as far as environmental controls, because we needed it. We wanted someone else to do what we wouldn't do, and that is just wrong. It is not who we are as a country.

We can do it. We can lead the world. We are the superpower, and that means we have to produce everything that we have, an all-in energy policy, better than anyplace else in the world.

Now, in order to do that, we passed a piece of legislation that puts us on two paths. You can walk and chew gum. You have to have fossil. Now, if you are doing fossil, which is cleaner—that means carbon capture and sequestration—we put billions of dollars in there for that. On top of that, we put billions of dollars for methane, plugging old wells, abandoned mine lands—we are cleaning up everything. Tremendous.

If you are using the fossil that we use in the United States—cleaner and helping our allies around the world—we have been able to help the climate more than it can ever be helped by anything else. As we develop the new technologies of the world—hydrogen—we can make that all day long.

We are on the verge of doing something unbelievable, but let me tell you, most of it will be for naught because without permitting reform—the United States of America is more litigious than any nation on Earth that has been developed, anyone. It takes longer to do anything here. We have people talking about how they have been trying to get permits for 16 years. Canada, average of 3 years; our friends in Australia, Down Under, 2 to 3 years; us, 5, 7, 10, and more.

This is a 10-year path we have. We have appropriated money in this piece of legislation for a 10-year path.

A lot of the programs we want to do, whether it is building pipelines, whether it is building new transmission lines to carry the energy that we need, whether it is developing new, cleaner technologies, whether it is carrying pipelines that are carrying hydrogen and CO₂, we have all of this that we need, and it is not going to happen, and I just can't believe it.

Here is the thing I can't believe: All of my Republican friends—and I have worked with them, and I know they are upset when politics plays into this, but they are upset about the IRA. We did it through reconciliation. Well, it is the only vehicle we had—the only vehicle we had—to do something that was monumental. And we did that by working with my colleagues on the other side for the last 5 years.

My colleagues on the other side, my Republican friends, have always said: Joe, we have to have more energy. Well, guess what, the IRA is going to put more energy in. The Inflation Reduction Act is going to produce more

oil, more gas, cleaner than anywhere in the world, and we are going to have more energy.

Why did you call it inflation reduction? Because if you have more product, you can reduce the price. It is pretty simple—supply and demand. So we are on that.

They said: Well, we have to pay down debt.

Well, guess what the IRA did. It paid down over \$250 billion of debt—the first time in history. For 30 years, we haven't paid down on debt. We did. So we have done so many things, but that seems to be a pretty good thing that is kind of stuck in their craw, and I am ashamed of that. I am afraid of that. And I am basically afraid for our country, that we are going down a path where it is all about the politics and all about the policy.

The policy is, the permitting bill that we have in front of us has been worked. We have worked it, and we have been sitting down and talking for 2 or 3 months. We have talked with our Senators on this side, we have talked with our Senators on the Republican side, and we looked at different things.

We are not basically eliminating any of the review process. We are basically expediting how we do it, and that is all we are asking for. We are asking the courts to expedite when they take this under consideration because of the environment. The environment is near and dear to all of us, and we all have a responsibility.

What we haven't taken into consideration is, if we don't do this, we will not be able to maintain independence, energy independence, which means energy security, which means national security. That is what we are not taking into consideration.

Who are we going to ask to do what we won't do for ourselves? Who is going to come to our rescue? We didn't see the Saudis coming. We didn't say—that didn't work too well. Nothing else is coming on board.

So I had a thing in this bill, and they said: Oh, it is a dirty deal with Joe, the Mountain Valley Pipeline. Oh yeah.

So 283 miles are completed of that pipeline, out of 303. Ninety-three percent is completed. We have a pipeline there that comes out of West Virginia that is a gathering with Southwestern Pennsylvania. It is also Southeast Ohio, the Marcellus Shale. It will put 2 billion cubic feet of gas per day into the market. You need more product in the market. It will backfill in the South and the Southwest. It will also help at Coves Point. You have LNG for all of our allies who are in desperate need of it.

So much is being done, and it has been so politicized. So if you want to know why people are upset, you want to know why they are mad, watch this place operate for a while.

I had a person one time said: JOE, I just can't believe what I see on television.

I said: Oh, you are upset, and you are mad, and you can't believe what you

see on television when you are sitting in your nice, comfortable home? Try it from my seat. Try it from this seat, when you have got to play politics day in and day out to do what is right for our country.

If we don't have energy, we are not the country—my little State has given its all. We have produced the coal for the last hundred years that built the ships, built the guns, and built basically everything that we have had, the guns and ships and built America. We are probably one of the most patriotic States in the Nation. We have more people, lost more blood, given more life for the cause of freedom than most any State.

We are willing to do whatever it takes. We do the heavy lifting and don't complain—never have. But yet we try to do something now to produce more energy because the country needs it—oh, you can't put a dirty pipeline in. It is not; it is gas. It is transitional fuel. We need it. You are going to have it for quite a while, so why don't you use it from where you have it? The best supply in the world is right here next door. Yet the politics is being played.

They are afraid that maybe—I am up in cycle in 2024, that this might give me a leverage to get reelected. I have been on the ballot for 40 years. I don't know what is going to happen. I don't know what tomorrow is going to bring. I know what we have before us today. You have an unbelievable opportunity that is not going to happen in our lifetime again.

If we don't pass permitting reform right now—my Republican friends are saying: Oh, don't worry, when we have control of the House, we will be able to have a better deal.

My friends, let me say this: You had from 2016 to 2020. You had a President who was a Republican. The House was Republican. The Senate was Republican. You only had one vote for permitting reform, and that was mine as a Democrat—nobody else. Now we are going to have a supermajority of Democrats who are willing to move forward and maybe not be all comfortable about it, but it is the right thing to do, and now, because of politics, my friends aren't going to step to the plate? That is what they don't like. That is what people don't like. That is the politics that basically is destroying our country. You can't have it.

So I come before you to ask for your support on a piece of legislation. There is so much good that we can do. We can fix the mistakes that we have made. But you can't do it if you don't have the energy to provide the citizens of your country to have the opportunities to defend themselves and be able to help our allies around the world. We will not maintain superpower status, I can assure you, if that can't be done.

This piece of legislation, without the permitting—we have been able to do so much in the bipartisan infrastructure bill, the Inflation Reduction Act, and now having this—to be able to put it

into operation is something that is desperately needed.

So, with that, I can only say that I pray to the Good Lord that we can put our politics aside and look at what is needed and go back home and tell the people this was absolutely—it is a win for everybody. It truly is a win for everybody.

This is something that I don't know how we can explain it if we vote against it. I don't know how we wouldn't vote for it. It is something we have all wanted.

Let me make one more point. All 50 of my Republican colleagues have signed on to a piece of legislation which is permitting—with my colleague from West Virginia—which is permitting reform, all 50. They know it needs to be done.

Now, if you are going to let the perfect be the enemy of the good, you are going to say: Well, it is just not good enough. Is it 50 percent, is it 70 percent better than what we have ever had? Is it moving in the right direction? Does it build a foundation? Does it give you something to work off of? I believe it does because you have had tremendous amount of input.

That is all I am asking for. I am asking for a fair evaluation of a piece of legislation that will not pass through these Halls again.

So with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Mr. President, certainly the chairman of the Energy and Natural Resources Committee and I agree on so many goals when it comes to American energy. We both believe in American energy independence. We believe in affordable clean energy. We agree that we want to leave this world cleaner, healthier, and safer than we found it. But unfortunately I oppose his amendment and ask my colleagues to oppose it as well.

I am afraid this amendment will do more harm than good. It will give the Federal Energy Regulatory Commission—FERC, as it is known—the power to socialize the cost of new high-voltage transmission lines. That is right—a huge shift of power will go from the States to the Federal Government.

Unelected bureaucrats would have the authority to make electric customers in mostly red States pay to deliver expensive and intermittent energy that fits the green energy dreams of blue States and in many cases causes rural America to pay for urban America's electricity. It would even give Federal regulators the authority to make residents of inland States pay for transmission lines that connect offshore wind farms to coastal States, such as California, New Jersey, and New York. It would allow these same regulators to make our residents pay for these transmission lines even if power on those lines would not serve them.

While this transportation of wind and solar electricity fits their social agenda, let me remind everyone that the

cost of transporting this electricity is approximately 10 times more than transporting enough clean natural gas to produce an equivalent amount of electricity. We need not only clean energy, we need affordable energy.

This is why Republican attorneys general from across the Nation and the nonpartisan National Association of Regulatory Utility Commissioners strongly oppose this amendment. These expert public officials pleaded with us not to go down this road in September. They remain opposed to Senator MANCHIN's latest draft.

In a December 12, 2022, letter, the attorneys general state that they "write to again express strong opposition to the renewed attempt to make sweeping changes to the Federal Energy Regulatory Commission's authority." They go on to say that the Manchin amendment "guts states' traditional authority over energy and land use policies."

Let me say that again. They go on to say that the Manchin amendment "guts states' traditional authority over energy and land use policies."

They tell us that the amendment does little, if anything, to address the concerns they raised in September. In their December letter, the public utility commissioners say Senator MANCHIN's legislation "eliminates the last vestiges of states' electric transmission sitting jurisdiction." This is simply bad policy.

Another issue is the damage the amendment would do to the efforts to develop hydrogen as an energy source. It would choke hydrogen pipelines under a mountain of regulation.

The final text of this amendment only saw the light of day just a week ago. The amendment has not been the subject of any debate in committee. We have had no hearings, no witnesses, and no markups. Changing the complex Federal Power Act and Natural Gas Act during a lameduck session without any opportunity for meaningful public input is a recipe for disaster. This is no way to make changes to complex laws.

Finally, Senator MANCHIN's amendment does nothing to address the problem of never-ending environmental litigation. We both represent proud energy States: West Virginia, a great coal State; Kansas, oil, gas, wind, solar. But it seems like there is never an end to the environmental litigation challenges we have. Nuisance lawsuits block energy projects from moving forward, driving up the cost to consumers. This is an issue that needs to be addressed.

I look forward to working with my colleague and with the chairman this next Congress through regular order to enact changes to laws that will actually speed energy projects of all kinds.

We must enable Federal permits for energy projects to be more durable. We must ensure that Federal permitting is evenhanded. We must rein in the endless and often federally funded litigation that is killing projects. Senator MANCHIN's amendment addresses none of these problems.

The Senate should reject this amendment. We should work together under regular order. We should enact real and effective permitting reform in the next Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I need to respond to that. I wasn't intending to do so, but I want to clarify that, and I would hope my good friend would listen to my clarification because it is in the bill.

And either someone maybe had not informed you, sir, but, basically, that can't be done, what you said. I can't charge you in Kansas if the line passes through Kansas and you don't benefit from it. If there is no improved reliability, if it didn't reduce congestion, if it didn't reduce or lower power losses, if it wasn't greater carrying capacity, if it didn't reduce operating reserve—all of these that you have to have benefit to have any cost. We made that in the bill. We were very, very correct.

You know who brought that to me? Senator CRAMER, our good friend from North Dakota, my Republican friend from North Dakota. He said: Joe, you can't do that.

Now, the other thing is, you were saying that, basically, the States lose all their rights. Again, Senator CRAMER said: Joe, you have got to at least have 1 year. I said: It makes sense to me.

Now, let me tell you what happens. If there is new energy coming into the market, wherever it is coming from, new transmission lines coming in, if that line is going to come into a State and the State thinks it is invading its territory—because most of all of the utilities have monopolies on their grid system, correct? They all have monopolies. They don't want anyone infringing on that.

Well, guess what? They all have great relationships with the public service commissions. If the public service commission is saying: OK. Who wants to come in here?—and they are coming—and they say: Let's sit down and talk.

Now, if the person who is already there—let's say you have your own power company and you have the utility lines or the grid system, and you say: I am not going to expand. I am not bringing any more power because I am not going to develop over here. It is not profitable for me.

Then they have got to make a decision, your PSC. Now, if you all can't agree in 1 year and it is something of national interest, then it can move.

But think what would happen if Dwight Eisenhower, building the interstate highway system—from, I think, your part of the world—the great general, the great President, OK. This would have never happened. He would have never built the interstate system. How about the interstate pipeline system? We would have never had the energy we have today.

All we are asking for is the opportunity to bring energy to the market where it is needed. That is all.

And then when you said: Well, it is going to be a litigious nightmare—that is what we tried to work through, and we did that. You know why? We basically put deadlines. We set firm deadlines for permitting decisions: 2 years for environmental impact statements, 1 year for environmental assessments. That is a tremendous improvement from where we have been. Then we basically put enforcement. We have stronger enforcement than any other permitting reform law passed ever in the United States of America.

It lets project developers seek a court order. So if you are trying to get something and you are being held up, then you have, basically, the expedited right to go to the court and to have expedition. You don't have that now.

To me—I have heard people say: Just that right there allows me to make a decision whether I stay with the program or get out of it, if I am going to do a project or not, without losing my rear end and going bankrupt.

We have answered every question that we possibly could. It is the most advanced, bipartisan bill we could ever get and still have the support we need. All we need is your support, sir.

I call for the vote, Mr. President.

The PRESIDING OFFICER. All time is yielded back.

Under the previous order, the Sullivan motion is withdrawn, and the motion to refer with instructions is also withdrawn.

There are now 2 minutes equally divided before a vote on the motion to invoke cloture on the Manchin motion to concur with amendment.

Mr. SCHATZ. I yield back.

Mr. MANCHIN. I yield back.

The PRESIDING OFFICER. That time is yielded back.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes with amendment No. 6513.

Charles E. Schumer, Joe Manchin III, Jon Tester, Martin Heinrich, Thomas R. Carper, Brian Schatz, Amy Klobuchar, Kyrsten Sinema, Tammy Baldwin, Richard J. Durbin, Christopher A. Coons, Sheldon Whitehouse, Angus S. King, Jr., Sherrod Brown, Michael F. Bennet, Christopher Murphy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 7776, a bill to provide for improvements to the rivers and harbors of the United States, to

provide for the conservation and development of water and related resources, and for other purposes, with an amendment, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Tennessee (Mr. HAGERTY), and the Senator from North Carolina (Mr. TILLIS).

The yeas and nays resulted—yeas 47, nays 47, as follows:

[Rollcall Vote No. 394 Leg.]

YEAS—47

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Brown	Kelly	Schatz
Cantwell	King	Schumer
Capito	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carpenter	Lujan	Smith
Casey	Manchin	Sullivan
Collins	Murkowski	Tester
Coons	Murphy	Toomey
Cortez Masto	Murray	Van Hollen
Durbin	Ossoff	Warner
Feinstein	Padilla	Whitehouse
Gillibrand	Peters	Wyden
Hassan	Portman	

NAYS—47

Blackburn	Hoeven	Risch
Booker	Hyde-Smith	Rounds
Boozman	Inhofe	Rubio
Braun	Johnson	Sanders
Cassidy	Kaine	Sasse
Cornyn	Kennedy	Scott (FL)
Cotton	Lankford	Scott (SC)
Cramer	Lee	Shelby
Crapo	Lummis	Stabenow
Daines	Markey	Thune
Duckworth	Marshall	Tuberville
Ernst	McConnell	Warnock
Fischer	Menendez	Warren
Graham	Merkley	Wicker
Grassley	Moran	Young
Hawley	Paul	

NOT VOTING—6

Barrasso	Burr	Hagerty
Blunt	Crux	Tillis

The PRESIDING OFFICER (Mr. KAINE). On this vote, the yeas are 47, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Under the previous order, the motion to concur with Manchin amendment No. 6513 is withdrawn.

The Senator from Wisconsin.

MOTION TO CONCUR WITH AMENDMENT NO. 6526

Mr. JOHNSON. I move to concur in the House amendment to the Senate amendment to H.R. 7776 with an amendment numbered 6526.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Wisconsin [Mr. JOHNSON], for himself and others, moves to concur in the House amendment to the Senate amendment to H.R. 7776 with an amendment numbered 6526.

The amendment is as follows:

(Purpose: To provide remedies to members of the Armed Forces discharged or subject to punishment under the COVID-19 vaccine mandate)

Insert after section 525 the following:

SEC. 525A. REMEDIES FOR MEMBERS OF THE ARMED FORCES DISCHARGED OR SUBJECT TO PUNISHMENT UNDER THE COVID-19 VACCINE MANDATE.

(a) LIMITATION ON IMPOSITION OF NEW MANDATE.—The Secretary of Defense may not issue any COVID-19 vaccine mandate as a replacement for the rescinded mandates under this Act absent a further act of Congress expressly authorizing a replacement mandate.

(b) REMEDIES.—Section 736 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 1161 note prec.) is amended—

(1) in the section heading, by striking “TO OBEY LAWFUL ORDER TO RECEIVE” and inserting “TO RECEIVE”;

(2) in subsection (a)—

(A) by striking “a lawful order” and inserting “an order”; and

(B) by striking “shall be” and all that follows through the period at the end and inserting “shall be an honorable discharge.”;

(3) by redesignating subsection (b) as subsection (e); and

(4) by inserting after subsection (a) the following new subsections:

“(b) PROHIBITION ON ADVERSE ACTION.—The Secretary of Defense may not take any adverse action against a covered member based solely on the refusal of such member to receive a vaccine for COVID-19.

“(c) REMEDIES AVAILABLE FOR A COVERED MEMBER DISCHARGED OR PUNISHED BASED ON COVID-19 STATUS.—At the election of a covered member and upon application through a process established by the Secretary of Defense, the Secretary shall—

“(1) adjust to ‘honorable discharge’ the status of the member if—

“(A) the member was separated from the Armed Forces based solely on the failure of the member to obey an order to receive a vaccine for COVID-19; and

“(B) the discharge status of the member would have been an ‘honorable discharge’ but for the refusal to obtain such vaccine;

“(2) reinstate the member to service at the highest grade held by the member immediately prior to the involuntary separation, allowing, however, for any demotion that was not related to the member’s COVID-19 vaccination status, with an effective date of reinstatement as of the date of involuntary separation;

“(3) for any member who was subject to any punishment other than involuntary separation based solely on the member’s COVID-19 vaccination status—

“(A) restore the member to the highest grade held prior to such punishment, allowing, however, for any demotion that was not related to the member’s COVID-19 vaccination status, with an effective date of reinstatement as of the date of involuntary separation; and

“(B) compensate such member for any pay and benefits lost as a result of such punishment;

“(4) expunge from the service record of the member any reference to any adverse action based solely on COVID-19 status, including involuntary separation; and

“(5) include the time of involuntary separation of the member reinstated under paragraph (2) in the computation of the retired or retainer pay of the member.

“(d) ATTEMPT TO AVOID DISCHARGE.—The Secretary of Defense shall make every effort to retain members of the Armed Forces who are not vaccinated against COVID-19.”.

(e) IMMEDIATE RESCISSION OF MANDATE.—Notwithstanding the deadline provided for in

section 525, the rescission of the COVID-19 mandate shall take effect immediately.

Mr. JOHNSON. Mr. President, I ask unanimous consent for up to 6 minutes of debate equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Wisconsin.

Mr. JOHNSON. I rise to offer an amendment on behalf of myself and Senator CRUZ. I want to say I appreciate Senate leadership for allowing this amendment. I appreciate, as does Senator CRUZ, the conferees’ willingness to consider or repeal the vaccine mandate, which they didn’t include. We truly appreciate that.

This amendment reflects the fact that we don’t think the vaccine mandate went far enough. So our amendment is pretty simple, it immediately ends the vaccine mandate, whereas what is in the bill allows it to continue for 30 days.

It prohibits DOD from imposing a future COVID-19 vaccine mandate without the express authorization of Congress. It prohibits DOD from taking any adverse action against a servicemember solely for refusing to get the COVID-19 vaccine.

It allows the servicemember to be reinstated with backpay if kicked out of the military solely for refusing the vaccine. And it redresses any other types of adverse actions the DOD took against a servicemember for refusing the COVID-19 vaccine.

People serving in our military are the finest among us. Over 8,000 were terminated because they refused to get this experimental vaccine, and so I am urging all of my colleagues to support the Senators and my amendment.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I stand in opposition to the proposed amendment.

On August 24, 2021, the Secretary of Defense issued a legal order directive that all personnel in the U.S. forces should be vaccinated against COVID-19. At that point, it was an approved FDA pharmaceutical. It is a legally binding order.

We need a healthy and ready force to defend the United States, and I think we’ve forgotten where we were before the vaccine. For example, the USS Theodore Roosevelt, one of the most important aircraft carriers in our fleet, and particularly in the Pacific, was effectively put out of commission when 27 percent of her crew were infected with COVID. Hundreds were hospitalized. The carrier had to dock in Guam for 2 months. For 2 months, we did not have the striking power of an American aircraft carrier in the Pacific.

Since Secretary Austin’s mandate, we have had no repeat incidents where a naval vessel had to be, essentially, taken out of service, nor in the other services have we seen anything like that.

Mandatory vaccination is not a new issue for military personnel. Servicemembers are commonly required to get

17 different vaccinations when they enter the military or when they deploy to serve overseas areas, including measles, mumps, diphtheria, hepatitis, smallpox, and flu.

In fact, the first mandatory vaccination was ordered by General George Washington for the smallpox during the American Revolution.

The Department of Defense issued the COVID-19 vaccine mandate. It was a lawful order. The department made its expectations very clear, a personnel could take the vaccine or they could request an exemption, but if their exemption was denied and they still refused the shot, they would be discharged.

In the U.S. military, a lawful order is not a suggestion; it is a command. And for those of us who have the privilege of commanding American military personnel, that is the essence of order and discipline in the U.S. military, which distinguishes us from many other services throughout the world.

Ninety percent of our troops are vaccinated because they are putting their Nation, their fellow soldiers, and their families ahead of their personal opinions or personal desires. That is the function of the military, this unswerving dedication to Nation and to following and to protecting their fellow personnel.

What message do we send if we pass this bill? It is a very dangerous one. What we are telling soldiers is: If you disagree, don't follow the order. And then just lobby Congress. And they will come along, and they will restore your rank. They will restore your benefits. They will restore everything. So orders are just sort of a suggestion. They are not.

Let me conclude by this: This is a critical line in the U.S. oath of enlistment.

I will obey the orders of the President of the United States and the orders of the officers appointed over me.

That is what we are talking about tonight. We must reject this amendment to reaffirm that oath, that commitment, that pillar of American military discipline and order.

Mr. JOHNSON. Mr. President, how much time do I have left?

The PRESIDING OFFICER. A minute and a half.

Mr. JOHNSON. I would argue that it is not a lawful order because the executive order required that the vaccine be fully FDA-approved. In August of 2021, the FDA did something very strange: They extended the emergency use authorization for the vaccine available in the U.S. and granted approval on Comirnaty. But that, to my knowledge—and I have asked repeatedly—none of that has been made available to our members of the service. So it is not a fully FDA-approved product. And the FDA is completely ignoring its own safety surveillance systems on VAERS. There have been over 32,500 deaths reported worldwide. Twenty-six percent of those deaths are occurring on a zero,

1 or 2 following vaccination. There are all kinds of different, scary safety signals that are being ignored. It was not unreasonable for people to refuse this experimental gene therapy.

The PRESIDING OFFICER. Does the Senator yield the remainder of your time?

Mr. JOHNSON. Yes.

VOTE ON MOTION

The PRESIDING OFFICER. The question is on the motion to concur in the House amendment to the Senate amendment with amendment No. 6526.

Mr. JOHNSON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Tennessee (Mr. HAGERTY), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 40, nays 54, as follows:

[Rollcall Vote No. 395 Leg.]

YEAS—40

Blackburn	Hoeven	Risch
Boozman	Hyde-Smith	Rubio
Braun	Inhofe	Sasse
Capito	Johnson	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	Lummis	Thune
Daines	Marshall	Toomey
Ernst	McConnell	Tuberville
Fischer	Moran	Wicker
Graham	Murkowski	Young
Grassley	Paul	
Hawley	Portman	

NAYS—54

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Booker	Kaine	Rounds
Brown	Kelly	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Leahy	Shaheen
Casey	Lujan	Sinema
Cassidy	Manchin	Smith
Collins	Markey	Stabenow
Coons	Menendez	Tester
Cortez Masto	Merkley	Van Hollen
Duckworth	Murphy	Warner
Durbin	Murray	Warnock
Feinstein	Ossoff	Warren
Gillibrand	Padilla	Whitehouse
Hassan	Peters	Wyden

NOT VOTING—6

Barrasso	Burr	Hagerty
Blunt	Cruz	Tillis

The PRESIDING OFFICER. On this vote the yeas are 40, the nays are 54.

The affirmative 60-vote threshold having not been achieved, the motion to concur is not agreed to.

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, I ask unanimous consent that upon the dis-

position of H. Con. Res. 121, the Senate resume consideration of the message with respect to H.R. 1437; that it be in order to make motions to concur with the following amendments: Scott of Florida amendment No. 6540; Lee amendment No. 6541, as modified with the changes at the desk; that there be 2 minutes for debate between each vote, equally divided between the two leaders or their designees, and the Senate vote in relation to the Scott and Lee motions; that if neither of the motions to concur with amendment are agreed to, the Schumer motion to refer and motion to concur with amendment be withdrawn and the Senate immediately vote on the motion to concur; that the Scott motion and motion to concur votes be subject to a 60-affirmative vote threshold for adoption; finally, that if the motion to concur is agreed to, the Senate proceed to the immediate consideration of H. Con. Res. 123, which is at the desk; that the concurrent resolution be considered and agreed to, all without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, two quick points. First, I know that our great Senator from Rhode Island who handled this bill so well will speak, but I do want to wish my congratulations to Senator INHOFE, who has been in this body for such a long time and led the Armed Services Committee in both the majority and minority with such fervor and concern for our soldiers and troops. So thank you.

Mr. INHOFE. Thank you.

Mr. SCHUMER. OK. Now, in an effort to move along this evening, I would ask Members to please remain on or near the floor during votes tonight.

I ask unanimous consent that the remaining votes this evening be 10-minute votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

There are now 2 minutes equally divided prior to voting on the motion to concur.

The Senator from Rhode Island

Mr. REED. Mr. President, I have a much longer statement, but I want to briefly rise to express my support for the Fiscal Year 2023 National Defense Authorization Act. I am pleased that we are about to pass it.

First, let me acknowledge Ranking Member INHOFE, whose leadership on the Armed Services Committee and in this Chamber has been monumental.

For more than 20 years I have had the privilege of serving with him on the committee. In turn, we have been chairman and ranking member. And I am honored that this year's bill will be named the James M. Inhofe National Defense Authorization Act.

(Applause, Senators rising.)

Mr. President, I would also like to add my congratulations and thanks to the House Armed Services Chairman,

ADAM SMITH, and Ranking Member MIKE ROGERS. Their partnership was absolutely invaluable to make this moment possible.

Mr. CARDIN. Mr. President, I rise today to note that, during the 117th Congress, several major legislative efforts to further U.S. foreign policy are becoming law, and I would like to highlight several here today. I feel strongly that these accomplishments merit special recognition, as they represent major advances in foreign policy that will improve our country's international engagement for years to come. I am proud to have led these efforts and would like to outline a few of the major components of these monumental bills.

As chair, of the Senate Foreign Relations Subcommittee on the State Department and U.S. Agency for International Development Management, International Operations, and Bilateral International Development, I take great pride to note that we successfully passed the State Department Authorization Act this year. To put this in context, this marks only the second time within the span of the past 16 years that a State Department Authorization Act has been enacted.

The State Department Authorization Act addresses much-needed reform that will help to strengthen our diplomatic corps and efforts on an institutional level and represents months of painstaking coordination. Modern diplomatic challenges require modern solutions, and it is my belief that provisions of this bill empower the State Department to make necessary changes in key areas that will help to revitalize and redefine our diplomatic engagement.

I will note that key to these efforts is my colleague Senator BILL HAGERTY, whose team worked closely with my own, members of the Senate Foreign Relations Committee, and the State Department on defining and addressing modern diplomatic challenges. This act also represents a victory of collaboration across parties and agencies, especially the Department of State, to reach this successful consensus.

First and foremost, Senator HAGERTY and I led the efforts to establish a Commission on Reform and Modernization at the Department of State. This 16-member commission will seek to identify areas for improvement and modernization in the organizational structure, personnel, facilities, and policy of the State Department and make recommendations to the President and Congress.

This effort is crucial; in the ever-shifting atmosphere of modern diplomacy, this commission will provide a body of oversight that keeps a big-picture view of State Department operations and establishes a critical line of communication between Congress, the President, and the Department of State.

Secondly, the State Department Authorization Act establishes new re-

quirements to extend the "cooling off" period for post-employment restrictions for certain Senate-confirmed officials. U.S. foreign policy is not for sale, nor should anyone have reason to think it is. By extending the cooling off period from 1 to 3 years, these high-ranking individuals are barred from representing foreign governments before the U.S. Government for a longer period. In doing so, we lessen the risk of perception that Ambassadors and other high-ranking officials will lose sight of U.S. interests in favor of their own near-term financial gain. Again, this important congressional oversight is yet another important step to safeguard the integrity of our foreign policy.

Third, I would like to highlight key advancements we have called for in lifelong professional development at the Foreign Service Institute. We have established a new body, the Board of Visitors, that will serve to offer recommendations to improve and modernize the Foreign Service Institute. The Board of Visitors, along with a new Provost position at the Foreign Service Institute, will work to inject new outside academic and adult learning expertise to better its operations, including the development of an evaluation system to determine how to improve the quality of training and focus it on the areas most useful to better prepare diplomats for the challenges they will encounter in 21st century diplomacy.

Additionally, we identified other professional development areas that will help to improve the State Department's operations on an institutional level. We authorized the State Department to expand the scope and number of external fellowships offered across Departments and Agencies.

These external fellowships, such as the Congressional Pearson Fellowship, which allows Foreign Service Officers the opportunity to work on the Hill for a Member or committee of Congress, expand relationships and knowledge across U.S. agencies and branches, academic institutions, and civil society organizations.

We further sought to expand professional development and trainings to address 21st century diplomacy, expanding virtual opportunities for training and extending out training to partner organizations that can offer specialized expertise for modern diplomatic challenges. In addition, we authorized the State Department to pursue curriculum to better enable Foreign Service Officers to understand the issues of press freedom and tools that are available to help protect journalists, as well as incorporate special training for officers assigned to countries significantly affected by climate change receive specific instruction on U.S. policy with respect to climate resiliency and adaptation.

Lastly, we have authorized the State Department to pursue a foreign language incentive pay program that will

enable our diplomatic corps to maintain our diplomats' critical language skills so that they can better serve our U.S. interests. Senselessly, in the past, there had been no mechanism to keep our highly trained diplomats up to skill in critical languages such as Chinese, Russian, Dari, and Arabic. Our current system simply trains diplomats in these languages and incentivizes their use while posted abroad, but these incentives disappear when diplomats move on to other positions—and with no incentive in place to maintain their critical languages, these language skills are usually largely lost.

While we have spent significant USG resources enabling our diplomats to engage and further our interests with foreign audiences by teaching them foreign languages, up until now, we have provided no mechanism to enable our diplomatic corps to keep these critical foreign languages skills active.

This new program will strengthen the ability of our diplomats to keep these key languages fresh, which ultimately will save the U.S. Government money by eliminating the need to retrain diplomats in the same language for a second or even third time. It will also provide for a better-prepared diplomatic corps that can be called upon when there is a pressing need for diplomats with specific language skills, such as the urgent call for Dari and Pashto speakers that the Department of State issued during the 2021 fall of Afghanistan. We will now have these diplomats ready when they are needed to best serve U.S. interests.

Finally, I am also proud of our work in this body to hold accountable authoritarian government regimes across the world. For too long, we have seen democratic backsliding, rising corruption, and human rights abuses committed at a global scale. There is perhaps no better example than in Burma, where the military initiated an illegal and unjustifiable coup d'etat in February 2021.

During and following the coup, the Burmese military has engaged in despicable human rights abuses, including extrajudicial killings, torture, and wrongful imprisonment. The military-led government has imprisoned over 11,000 civilians and killed over 1,400, including children. This amounts to crimes against humanity.

We cannot look the other way in the face of these grave injustices. That is why I was proud to introduce, alongside my House colleagues Representatives Meeks and Chabot, the Burma Unified through Rigorous Military Accountability Act, better known as the BURMA Act. This important bill will authorize the Department of State and the U.S. Agency for International Development to support democracy activists, provide humanitarian assistance, and undertake reconciliation efforts in Burma. This will include support for organizations aiding political prisoners in Burma and assistance to entities investigating crimes against humanity.

The BURMA Act also requires the President to impose strict sanctions on Burmese military or government officials, as well as actors that have knowingly operated in Burma's defense sector or have undermined the nation's democratic processes. The United States must continue to stand with the people of Burma and for a civilian-led government based on the recognition of human rights and democratic principles.

To conclude, I am proud of the work we have accomplished in this Chamber during the 117th Congress. By modernizing State Department operations and pursuing an anti-corruption, human rights-focused foreign policy agenda, the United States continues to be at the forefront of global diplomacy.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. First of all, I want to thank the chairman for all the hard work. People don't realize that this is, in my opinion, the most significant vote of the year. It has been one we have been through for a long period of time, and it is necessary, and I like the way it turned out. It is really good.

I am pleased that the Senate is voting today for the fiscal year 2023 National Defense Authorization Act. I have said it before, and I am not the only one saying it: The world is more dangerous than I have ever seen it before in my lifetime. Typically, there is bipartisan agreement on this fact, and that is why this bill has gotten done for 61 years in a row. It is almost always bipartisan, and for this year's bill, that is definitely the case. We have worked together for a long period of time. I have worked closely with my friend Chairman JACK REED, and both of us made sure that that would be the case.

The Armed Services Committee agreed, almost unanimously, to boost President Biden's inadequate defense budget by \$45 billion. This additional funding will address record-high inflation rates and ensure that we are able to implement the little blue book that we talk about all the time. It has worked very successfully in the past. It will be working successfully long after I am gone too. So additional funding will address record high inflation rates, and we are ensured that we will be able to implement the little blue book the way we have done it in the past.

We need to prioritize defense. It is as simple as that. The NDAA addresses the National Defense Strategy in concrete ways. We need to get this done. We are going to get it done, and we will get it done this evening.

I encourage all of my colleagues to support this year's National defense authorization bill. Let's extend our track record of getting this bill done, and let's show our troops that we love them and that we support them.

I yield the floor.

Mr. REED. Mr. President, I yield back all time.

VOTE ON MOTION TO CONCUR

The PRESIDING OFFICER. The question is on agreeing to the motion to concur.

The yeas and nays were previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Tennessee (Mr. HAGERTY), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 83, nays 11, as follows:

[Rollcall Vote No. 396 Leg.]

YEAS—83

Baldwin	Hassan	Reed
Bennet	Heinrich	Risch
Blackburn	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Boozman	Hoeven	Rounds
Brown	Hyde-Smith	Rubio
Cantwell	Inhofe	Sasse
Capito	Johnson	Schatz
Cardin	Kaine	Schumer
Carper	Kelly	Scott (FL)
Casey	Kennedy	Scott (SC)
Cassidy	King	Shaheen
Collins	Klobuchar	Shelby
Coons	Lankford	Sinema
Cornyn	Leahy	Smith
Cortez Masto	Lujan	Stabenow
Cotton	Manchin	Sullivan
Cramer	Marshall	Tester
Crapo	McConnell	Thune
Daines	Menendez	Toomey
Duckworth	Moran	Tuberville
Durbin	Murkowski	Van Hollen
Ernst	Murphy	Warner
Feinstein	Murray	Warnock
Fischer	Ossoff	Whitehouse
Gillibrand	Padilla	Wicker
Graham	Peters	Young
Grassley	Portman	

NAYS—11

Booker	Lummis	Sanders
Braun	Markey	Warren
Hawley	Merkley	Wyden
Lee	Paul	

NOT VOTING—6

Barrasso	Burr	Hagerty
Blunt	Cruz	Tillis

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 83, the nays are 11.

The 60-vote threshold having been achieved, the motion to concur in James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 is agreed to.

The motion was agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. REED. Mr. President, I rise to express my support for the fiscal year 2023 National Defense Authorization Act. I am pleased that we have just voted on a wide, bipartisan basis to approve this bill.

First, I would like to acknowledge Ranking Member INHOFE, whose leadership on the Armed Services Committee and in this Chamber has been monumental. For more than 20 years, I have had the privilege to serve with him on the Armed Services Committee, in turn each of us serving as chairman and ranking member. In honor of his well-

earned retirement, I am pleased that the committee voted to name this year's bill the James M. Inhofe National Defense Authorization Act.

I would also thank my colleagues from the House Armed Services Committee, Chairman SMITH and Ranking Member ROGERS. Their partnership made this bill possible.

As we enact the NDAA, we must keep in mind that the United States is engaged in a long-term strategic competition with China. Beijing poses a serious potential threat to our national security, as the only country in the world capable of mounting a sustained challenge to our interests.

In addition, Russia has demonstrated its willingness to inflict violence and undermine the global order while states like Iran and North Korea continue to push the boundaries of military brinkmanship. Threats like terrorism, climate change, and pandemics remain persistent.

The interconnected nature of these problems must drive how we transform our tools of national power. The passage of the FY23 NDAA will be a critical step toward meeting these complex challenges.

Turning to the specifics of this year's defense bill. The NDAA authorizes \$817 billion for the Department of Defense and \$29 billion for national security programs within the Department of Energy. This includes a \$45 billion boost to address inflation, accelerate the production of certain munitions, and increase procurement of aircraft, ships, submarines, armored vehicles, long-range artillery, and other resources needed by the services and combatant commands.

The bill contains a number of important provisions that I would like to briefly highlight.

To begin, we have to ensure the United States can out-compete, deter, and prevail against our near-peer rivals. This NDAA confronts China and Russia by increasing our investments in the Pacific Deterrence Initiative, the European Deterrence Initiative, and the Ukraine Security Assistance Initiative. It also authorizes the Taiwan Enhanced Resilience Act of 2022, which is designed to increase our security cooperation with Taiwan.

Importantly, this year's NDAA provides a 4.6-percent pay raise for both military servicemembers and the Department of Defense civilian workforce. It also authorizes funding to ease the impacts of inflation on the force and increases the resources available to support military families.

The bill includes new support for our industrial base to produce the munitions needed to backfill our stocks, while also keeping supplies flowing to Ukraine and other European allies. Moreover, the bill authorizes \$1 billion for the National Defense Stockpile to acquire rare earths and critical minerals needed to help meet the defense, industrial, and civilian needs of the United States.

America's capacity for technological innovation has long given us the strongest economy and military on earth, but this advantage is not a given; it must be nurtured and maintained. To that end, this year's NDAA authorizes significant funding increases for cutting-edge technologies like microelectronics, hypersonic weapons, and low-cost unmanned aircraft. Similarly, it increases funding to support U.S. Cyber Command's Hunt Forward Operations and artificial intelligence capabilities.

And, as we navigate threats of nuclear escalation from Russia and increasing capabilities from China, the NDAA enhances our deterrence strategy by helping to modernize the U.S. nuclear triad. It makes progress toward ensuring the security of our nuclear stockpile, delivery systems, and infrastructure; increasing capacity in missile defense; and strengthening non-proliferation programs.

This bill was originally crafted by the Armed Services Committee after a series of thoughtful hearings, discussions, and debates on both sides of the aisle. Through the committee markup process, we considered more than 443 amendments and ultimately adopted 233 of them. Senator INHOFE and I introduced this bill to the full Senate with the intent of adding more amendments on the floor. Although we were not able to come to hold debate on the floor, we were ultimately able to adopt amendments from Senators on both sides of the aisle in the final legislation, including several major authorization bills from other committees.

Over the past several weeks, the Senate and House Armed Services Committees have worked around the clock to come to an agreement on this final version. I am proud of the improvements we made throughout this process, and I was pleased to see the House vote last week in an overwhelmingly bipartisan fashion, 350-80, to pass the bill. We have produced a strong NDAA that both parties, both Chambers, and the President will be able to sign.

I would like to take this opportunity to recognize the phenomenal staff who made this bill possible. There are dozens of staff across the committees and floor who worked tirelessly to bring us to this point, and we are all immensely grateful for their dedication. I will submit each of their names for the record. I want to specifically recognize the director for the Armed Services Democratic staff, Elizabeth King, and the director for the Republican staff, John Wason. They have led their staffs admirably and collaborated with bipartisan ship, diligence, and skill.

I would also like to thank members of the Armed Services Committee staff: Jody Bennett, Carolyn Chuhta, Jon Clark, Jenny Davis, Jonathan Epstein, Jorie Feldman, Kevin Gates, Creighton Greene, Gary Leeling, Kirk McConnell, Maggie McNamara Cooper, Bill Monahan, Mike Noblet, John Quirk, Andy Scott, Cole Stevens, Brittany

Amador, Patrick Shilo, Alison Warner, Leah Brewer, Megan Lustig, Joe Gallo, Chad Johnson, Jessica Lewis, Griffin Cannon, Brandon Kasprick, Sofia Kamali, Vannary Kong, and, once again, staff director Elizabeth King.

Let me conclude by once again thanking Ranking Member INHOFE, Chairman SMITH, and Ranking Member ROGERS for working thoughtfully and on a bipartisan basis to develop this important piece of legislation.

Finally, I thank my colleagues for voting in favor of this excellent bill.

Mr. INHOFE. Mr. President, after months of deliberating, just like that, the most important bill we work on every year has passed the Senate.

There is an old document that no one reads anymore called the Constitution. It tells us what we are supposed to be doing here; providing for our national defense. That is why Congress has passed a Defense authorization bill for 61 years in a row. This year will be No. 62. I am proud to have been involved in quite a few of those.

Just like prior years, Republicans and Democrats came together and made compromises on the many provisions in this bill. And it is a good thing we did because we face threats like I have never seen before in my life. We have got a bill that addresses many of these threats and helps provide our military with all the tools needed to do their jobs.

This bill includes a significant topline increase and provides a blueprint for where we need to invest to deter China. It fully supports our nuclear modernization program. It also takes the first step to restoring America as the Arsenal of Democracy by expanding munitions production. It includes multiple provisions that strengthen America's frontline partners, including Ukraine and Taiwan. We continue to take care of service members, including by repealing the COVID vaccine mandate and strengthening parents' rights at DOD schools. It is also important to note that we kept poison pills out of the final text that could have jeopardized passage of this critical bill. This is a good bill. It is not the bill I would have written on my own, but I am proud to vote for it today.

Lastly, I would like to thank a few people who put in a ton of work on the NDAA. That starts with Chairman REED, who has been a great partner and friend. I would like to thank the Armed Services Committee staff, who have worked tirelessly to make this bill a reality, including the majority staff director, Liz King.

On my staff, there are many who have had a hand in crafting this bill. They worked the late nights and early mornings to make sure we had a bill to vote on today. First on that list is my Republican staff director, John Wason. John has been serving this country his entire life, first in the U.S. Army, then at the House Armed Services Committee, and now here in the Senate.

None of this would be possible without his leadership.

On the minority staff for the committee, I want to thank:

Rick Berger
Scott Richardson
Greg Lilly
Jennie Wright
Adam Barker
Kristina Belcourt
Allen Edwards
Katie Magnus
Sean O'Keefe
Brad Patout
Jason Potter
Brian Slattery
Katie Sutton
Eric Trager
Adam Trull, and
T.C. Williams

On my personal staff, I want to thank:

Dan Hillenbrand
Wendi Price
Kim Cutter
Sarah Klotz
Sofia Rafiq
Mark Powers
Ellen Brown
Jake Hinch
Jake Johnson
Alexandra Slocum
Bennett Crow
Davis Bunn
Laurie Fitch
Lauren Pickett
Whitney Sterling
Isabelle Colleti
Laura Hill, and
Richard Balzano

And the hard-working floor staff:

Robert Duncan
Chris Tuck
Tony Hanagan
Katherine Foster
Brian Canfield
Max Boyd
Maddie Sanborn
Charlotte Ueland, and
Noelle Ringel

I am very grateful for all of their service.

As I finish my time here in the Senate, I can leave knowing that we have done all we can to support our troops for another year and we have succeeded.

DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF THE BILL H.R. 7776

The PRESIDING OFFICER. Under the previous order, H. Con. Res. 121 is considered and agreed to, and the motion to reconsider is considered made and laid upon the table.

The concurrent resolution (H. Con. Res. 121) was agreed to.

FURTHER CONTINUING APPROPRIATIONS AND EXTENSIONS ACT, 2023—Continued

The PRESIDING OFFICER. The pending business is now the message with respect to H.R. 1437.

The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent that the following Senators be permitted to speak prior to